
By: **Senator Colburn**

Introduced and read first time: February 6, 2004

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **University of Maryland Eastern Shore - School of Pharmacy**

3 FOR the purpose of requiring the President of the University of Maryland Eastern
4 Shore to establish a School of Pharmacy at the University of Maryland Eastern
5 Shore; providing for the purpose of establishing a School of Pharmacy; and
6 generally relating to the establishment of a School of Pharmacy at the
7 University of Maryland Eastern Shore.

8 BY repealing and reenacting, with amendments,
9 Article - Education
10 Section 12-109
11 Annotated Code of Maryland
12 (2001 Replacement Volume and 2003 Supplement)

13 **Preamble**

14 WHEREAS, The State of Maryland is currently facing a severe shortage of
15 licensed pharmacists; and

16 WHEREAS, Maryland imports approximately 50% of its pharmacists from
17 outside the State; and

18 WHEREAS, The increased need for pharmacists has been created by the
19 increasing number of prescriptions being written and dispensed, the increased
20 direct-to-consumer advertising by pharmaceutical companies, the greatly expanded
21 insurance coverage for prescriptions by insurance companies and health care plans,
22 and the development of new medications at a faster rate than ever before; and

23 WHEREAS, An American Hospital Association special workforce survey found
24 rural hospitals to have the highest percentage of unfilled pharmacist positions; and

25 WHEREAS, Minority populations, including African Americans are not well
26 represented in the pharmacy profession;

27 WHEREAS, It is only by increasing the number of students enrolled in
28 pharmacy education that the workforce demand for pharmacists can be realized; and

1 WHEREAS, Maryland's only current academic pharmacy program at the
2 University of Maryland School of Pharmacy, Baltimore expanded enrollment 15% in
3 the fall of 2000, almost exceeding the capacity of existing facilities and stretching
4 existing faculty to the limit; and

5 WHEREAS, Only five of 82 accredited pharmacy degree programs at colleges
6 and schools of pharmacy are located at historically black institutions and only 7.1% of
7 3,265 students receiving a Doctor of Pharmacy degree in the 1998-1999 academic
8 year were African Americans; and

9 WHEREAS, The Maryland Pharmacist Association on June 10, 2002 passed a
10 resolution at its annual convention to "support the establishment of an accredited
11 pharmacy school at any institution of higher learning in Maryland such as the
12 University of Maryland Eastern Shore."; and

13 WHEREAS, A School of Pharmacy at the University of Maryland Eastern Shore
14 will signify the State's commitment to provide equal educational opportunities by
15 adding to the number of historically black institutions with a School of Pharmacy,
16 increasing the number of minorities in the profession, and increasing the number of
17 practicing pharmacists knowledgeable about the needs of rural and seriously
18 underserved populations; and

19 WHEREAS, A School of Pharmacy at the University of Maryland Eastern Shore
20 will also greatly contribute to the rural health care and rural economic development
21 in the State; now, therefore,

22 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
23 MARYLAND, That the Laws of Maryland read as follows:

24 **Article - Education**

25 12-109.

26 (a) In consultation with the Chancellor and after a thorough search, the Board
27 of Regents shall appoint a qualified person as president of each constituent
28 institution.

29 (b) The president of each constituent institution is entitled to the
30 compensation established by the Board of Regents.

31 (c) The president of each constituent institution serves at the pleasure of the
32 Board of Regents.

33 (d) The president of each constituent institution shall:

34 (1) Serve as the chief executive officer of the institution;

35 (2) Be responsible and accountable to the Board for the discipline and
36 successful conduct of the institution and supervision of each of its departments; and

- 1 (3) Take every initiative in:
- 2 (i) Implementing the policies of the Board and the constituent
3 institution; and
- 4 (ii) Promoting the institution's development and efficiency.
- 5 (e) Subject to the authority and applicable regulations and policies of the
6 Board of Regents, each president shall:
- 7 (1) Develop a plan of institutional mission in accordance with Subtitle 3
8 of Title 11 of this article;
- 9 (2) Have the authority to develop new academic programs and curtail or
10 eliminate existing programs in accordance with the procedures set forth in §§ 11-206
11 and 11-206.1 of this article;
- 12 (3) Formulate operating and capital budget requests designed to further
13 the mission of the institution;
- 14 (4) Appoint, promote, fix salaries, grant tenure, assign duties, and
15 terminate personnel;
- 16 (5) Subject to the provisions of subsection (g) of this section, have
17 authority to create any position within existing funds available to the University, to
18 the extent the cost of the position, including the cost of any fringe benefits, is funded
19 from existing funds;
- 20 (6) Establish admissions standards;
- 21 (7) Set tuition and fees;
- 22 (8) Administer financial aid;
- 23 (9) Enter into contracts and cooperative agreements;
- 24 (10) Have the authority to accept gifts and grants and maintain and
25 manage endowment income;
- 26 (11) Have the authority to recommend change in the name or status of the
27 institution;
- 28 (12) Regulate and administer athletic and student activities;
- 29 (13) In compliance with State, federal, and Board mandates and policies,
30 oversee affirmative action and equal employment opportunities;
- 31 (14) Establish organizations for the administration of campus alumni
32 affairs;
- 33 (15) Be responsible for all academic matters;

- 1 (16) Have the authority to establish and appoint an institutional board to:
- 2 (i) Provide advice to the president;
- 3 (ii) Assist in community relations;
- 4 (iii) Assist in institutional development; or
- 5 (iv) Provide any other assistance requested by the president;
- 6 (17) Establish traffic regulations for the campus;
- 7 (18) Designate one or more representatives to participate as a party in
8 collective bargaining on behalf of the institution in accordance with Title 3 of the
9 State Personnel and Pensions Article; and
- 10 (19) Perform any other duties assigned by the Board.
- 11 (f) (1) The institutional boards established under subsection (e)(16) of this
12 section shall be known as boards of visitors. Each board shall submit a report by
13 October 1 of each year to:
- 14 (i) The Governor;
- 15 (ii) The Chairman of the Board of Regents of the University System
16 of Maryland;
- 17 (iii) The Secretary of the Maryland Higher Education Commission;
18 and
- 19 (iv) The presiding officers of the Maryland General Assembly.
- 20 (2) Except as provided in paragraph (3) of this subsection, each report
21 submitted under paragraph (1) of this subsection shall include the comments of the
22 appropriate board on the institution's progress toward meeting its goals consistent
23 with its mission.
- 24 (3) The report of the University of Maryland, College Park Board of
25 Visitors shall include:
- 26 (i) The Board's evaluation of the status of the effort by the
27 University System of Maryland and the State in meeting the requirements of the
28 Maryland Charter for Higher Education set forth in § 10-209 of this article which
29 require the University System of Maryland to:
- 30 1. Provide the College Park campus with the level of
31 operating funding and facilities necessary to place it among the upper echelon of its
32 peer institutions;

